

REMARKS

Applicant has carefully reviewed the Official Action dated October 3, 2007 placing the present patent application under final rejection.

At page 2 of the Official Action, the Examiner has indicated the preferred sub-headings for different sections of the specification. In response thereto, the present Amendment has added the applicable sub-headings to separate the different sections of the specification.

At page 2, last paragraph of the Official Action, Claims 5 and 8 have been objected to based upon informalities noted in the Official Action. In response to these objections, the form of Claim 1 has been revised to overcome the objection raised against Claim 5. The revision to the form of parent independent Claim 1 now provides proper antecedent basis for the recitation "said collecting devices" recited in dependent Claim 5.

The form of Claim 8 has also been revised to correct a typographical error.

Applicant respectfully submits that the objections to the claims made in the Official Action are overcome by the present Amendment.

Although not referred to in the Official Action, the form of Claim 6 has been amended to correct a typographical error. The claim now correctly recites that the destructive agent container is in fluid communication with the collecting vessel, and not the collecting device. This correction is supported by the original disclosure of this patent application, as for example, page 4, lines 4 - 5, and the original drawings, at for example, Figs. 1 and 2 illustrating that the destructive agent container 60 is in fluid communication with the collecting vessel 50. Also see independent method Claim 1 which expressly recites that the destructive agent container is in fluid communication with the collecting vessel.

Applicant requests that the amendments to the specification and claims made herein be entered, notwithstanding the Final Action. The amendments are directed exclusively to matters of form, do not affect the substance of the claims, and do not require any further search or consideration by the Patent & Trademark Office. These amendments to the form of the specification and claims have been made in response to formal objections raised by the Examiner in the Official Action placing the patent application under final rejection, and to correct typographical errors in Claims 6 and 8. Therefore, Applicant requests that the amendments made herein be entered and considered as being directed exclusively to formal matters.

At page 3 of the Official Action, Claims 1 - 9 and 12 - 13 have been rejected under 35 U.S.C. Section 102(e) as being anticipated under the Lundblad patent (U.S. Pat. No. 6,497,186).

At page 4 of the Official Action, Claims 10 - 11 and 14 - 20 have been rejected under 35 U.S.C. Section 103(a) as being unpatentable over the Lundblad patent.

For the reasons to be discussed below, Applicant respectfully disagrees with the basis for prior art rejection of the claims, and requests that the rejections be reconsidered and withdrawn.

Independent Claim 1 is directed to a method relating to an alarm equipped valuable item storage space, is directed to an arrangement for destroying valuable documents stored within a storage space. In accordance with the methods and arrangements disclosed and claimed by Applicant, valuable documents stored in a collecting device located within a storage space. The collecting device designated by reference numeral 30 in Figure 1 of the drawing comprises a rotatable drum, and is located within the storage compartment designated by reference numeral 11. The collecting drum 30 is received, at least in part, within a collecting vessel designated by reference numeral 50. A destructive agent container designated by reference numeral 60 which is in fluid communication with collecting vessel 50 contains a destructive agent therein. In response to an

unauthorized attempt to gain access to the valuable documents stored within the storage space 11, an alarm signal is generated, which results in the application of the destructive agent container into the collecting vessel, and on to the collecting device containing the valuable documents for destruction of the valuable documents. The method defined by independent Claim 1 and the arrangement defined by independent Claim 6 positively recite a plurality of separate elements in a specified arrangement including: a storage space; collecting device comprising the drum in the storage space; collecting vessel, receiving at least in part, the collecting device; and destructive agent container in fluid communication with the collecting vessel.

Independent Claims 1 and 6 have been rejected under 35 U.S.C. Section 102(e) as being anticipated by the Lundblad patent (U.S. Pat. No. 6,497,186). Applicant respectfully disagrees with this basis for prior art rejection of the independent claims, and respectfully requests that the rejection be reconsidered and withdrawn.

Contrary to the methods and arrangements disclosed by Applicant and defined by independent Claims 1 and 6, the Lundblad patent does not teach or suggest the specific elements positively recited in Applicant's claims, as arranged in the claims. The Lundblad patent discloses a plurality of storage spaces, each of which includes units (11 - 16) containing valuable documents.

However, Lundblad does not teach or suggest a collecting vessel in each storage space, arranged such that at least a part of the collecting device (units 11 - 16 of Lundblad) for containing valuable documents is received in the collecting vessel. Lundblad further fails to teach or suggest a destructive agent container in fluid communication with a collecting vessel to apply a destructive agent to the collecting vessel to destroy documents on the collecting device in response to a signal indicating an unauthorized attempt to gain access to the documents within the storage compartment.

Instead of employing a destructive agent container in fluid communication with a collecting vessel which receives, in part, a collecting device for housing the valuable documents to be destroyed, the Lundblad patent discloses dye capsules, and detonation fuses for detonating the dye capsules to destroy the documents contained within the storage space in response to an unauthorized attempt to gain access to the documents within the storage compartment (See Column 2, lines 26 - 29 and Column 2, lines 35 - 37 of the Lundblad specification).

Applicant respectfully submits that the Lundblad patent does not teach or suggest the specific elements, and the specific arrangement of elements, as disclosed by Applicant and claimed by independent Claims 1 and 6. As noted above, the Lundblad patent does not teach or suggest a destructive agent container in fluid communication with a collecting vessel and a collecting device

within the storage space, the collecting device being partially received within the collecting vessel.

In the outstanding Official Action, the Examiner contends that the elements 11 - 17 of the Lundblad patent were regarded as the collecting vessels.

Applicant respectfully disagrees with this conclusion. As expressly recited in the Lundblad specification, elements 11 - 17 are "...a plurality of units 11 - 17 which are each intended to accommodate a plurality of valuable documents..." (Column 1, lines 46 - 48 of the Lundblad specification). Thus, elements 11 - 17 of Lundblad are clearly comparable to the collecting devices disclosed and claimed by Applicant (which comprise drums for holding valuable documents), and not collecting vessels which are separate elements from the collecting devices.

In the Official Action, the Examiner further contends that "...nothing in the claims precludes the use of elements 11 - 17 of Lundblad as meeting the collecting vessel limitations...". Applicant also respectfully disagrees with this conclusion. As discussed above, it is clear from the express disclosure of the Lundblad specification that elements 11 - 17 are collecting devices for holding the valuable documents, and not collecting vessels for receiving a destructive agent in a destructive agent container in fluid communication with the collecting vessels. Assuming arguendo that elements 11 - 17 of Lundblad can be used

as collecting vessels (a proposition with which Applicant disagrees and which is not supported by the express disclosure of the Lundblad specification), Applicant's claims nonetheless recite separate elements for the storage space, the collecting vessel, the collecting device, and the destructive agent container in fluid communication with the collecting vessel. Thus, Lundblad clearly does not teach (or suggest) the methods and arrangements defined by independent Claims 1 and 6, when all positively recited features of these claims are considered in the patentability determination.

It is well established that a rejection of a claim as being anticipated by a prior art reference requires the Patent & Trademark Office to establish a strict identity of invention between the rejected claim and a single applied prior art reference. Stated in other words, a rejection of a claim as being anticipated by a prior art reference is inappropriate unless a single applied prior art reference discloses all features of the rejected claim, as arranged in the claim. See, for example, Connell v. Sears, Roebuck & Co., 220 USPQ 193 (Fed. Cir. 1983).

For the reasons discussed herein, Applicant respectfully submits that there is clearly no strict identity of invention between the disclosure of the Lundblad patent and both independent method Claim 1 and independent arrangement Claim 6. Each of these claims expressly recites components and steps which

are not disclosed or suggested by the Lundblad patent, and also recites an arrangement of steps and components which also are not taught or suggested by the Lundblad patent. Applicant respectfully submits that when all positively recited features of independent method Claim 1 and independent arrangement Claim 6 are considered in the patentability determination and compared to the disclosure of Lundblad in its entirety, there is clearly no strict identity of invention between the methods defined by independent Claim 1 and the arrangement defined by independent Claim 6.

Accordingly, Lundblad does not anticipate either independent method Claim 1 or arrangement Claim 6. Moreover, in view of the significant differences between the disclosure of Lundblad, as discussed herein, and the positively recited structure, structural arrangement, steps, and arrangement of steps, Lundblad clearly does not render independent Claims 1 and 6 obvious.

For the reasons discussed herein, Applicant respectfully submits that independent Claims 1 and 6 are in condition for allowance. The remaining dependent claims, which depend from at least one of the independent claims and thus include all features of their respective independent claims, are allowable, at least for the same reasons as their respective parent independent claim.

Applicant submits that this patent is in condition for allowance, and favorable action is respectfully requested.

Enclosed is a Petition to extend the time for responding to the outstanding Official Action for three (3) additional months, and the required fee for the requested three month extension.

Since this application is under final rejection, a Notice of Appeal, together with the applicable fee for filing the Notice of Appeal, is being filed concurrently herewith for precautionary purposes.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Mark P. Stone', written in a cursive style.

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